

REMARKS

This application has been carefully considered in connection with the Examiner's Office Action dated February 16, 2011. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1, 4, 8, 9, 11-15, 20-33, and 35-38 were pending at the time of the Office Action.

Claims 1, 4, 8, 9, 11-15, 20-24, 26-33, and 35-38 were rejected under 35 USC § 103.

With regard to the art rejections, the Office Action has cited Helmus, US Pub. No. 2003/0225595 ("Helmus"); Wacławsky et al., US Pat. No. 6850530 ("Wacławsky"); Gal-On et al., US Pub. No. 2003/0171907 ("Gal-On").

Summary of Claims

Claims 1, 4, 8, 9, 11-15, 20-24, 27-31, 33, and 36-38 are currently pending following this response.

Claims 1, 13-15, 20, 27-31, and 36-38 are currently amended herein

Claims 25, 26, 32, and 35 are cancelled herein.

Claims 4, 8, 9, 11, 12, 21-24, and 33 are previously presented.

Claims 2, 3, 5-7, 10, 16-19, and 34 were previously cancelled.

Remarks and Arguments are provided below.

Applicant Initiated Interview

Applicants thank Examiner Adrian McPhillip and SPE Beth Boswell for their time and consideration of the arguments presented in the in-person interview on May 5, 2011. In the interview, Applicants discussed the differences between the applied art and the pending application. For example, Applicants noted that the claims require that information is extracted from log files rather than from the applications that make up the order processing system thereby allowing the monitoring component to aggregate information, determine event status information, etc. without interfering with the processing of the order. Examiner McPhillip and SPE Beth Boswell recommended amending the claims to make these distinctions more explicit and indicated that such amendments should overcome the currently applied art.

Applicants also thank Examiner McPhillip for his telephone call on May 13, 2011 regarding some additional suggested amendments. In the interest of advancing prosecution, the claims have been amended herein as suggested by Examiner McPhillip and SPE Boswell in the in-person interview and as suggested by Examiner McPhillip in the telephone call.

Detailed Response**Rejection of Claim 1 Under 35 U.S.C. § 103(a)**

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Helmus in view of Examiner's Official Notice.

I. Helmus in view of Examiner's Official Notice does not disclose a plurality of log adapters that communicate with and extract information from log files instead of

communicating with and extracting information from the first application and the second application and a monitor component that communicates with the plurality of log adapters and determines event status information related to the order from the extracted information without interfering with the processing of the order.

Amended claim 1 recites in part,

[A] plurality of log adapters, each stored in a memory and executable by a processor to communicate with a corresponding one of the first application log file, the second application log file, the first resource log file, and the second resource log file to extract at least a portion of the corresponding one of the first application data, the second application data, the first resource data, and the second resource data *instead of communicating with and extracting information from the first application and the second application*; and
a third computer system independent of the first legacy computer system and the second legacy computer system, the third computer system comprising a monitor component stored in a memory and executable by a processor to communicate with the plurality of log adapters, and determine event status information related to the order using the at least the portion of the first application data, the at least the portion of the second application data, the at least the portion of the first resource data, and the at least the portion of the second resource data *without interfering with the processing of the order....*

(Emphasis added). Applicants submit that no new matter has been added and support for the amendments may be found throughout the specification as originally filed, including at least paragraphs [0005], [0036], [0037], and [0041]-[0043].

The Office Action did not address all of the above limitations. However, the Office Action relied on paragraph [0060] of Helmus and more particularly, the Command and Control Processor of Helmus to disclose the claimed plurality of log adapters. Office Action at p. 9. Further, the Office Action relied on paragraphs [0124] and [0125] of Helmus and more specifically, the Command and Control module of Helmus to disclose the claimed monitor component. Office Action at pp. 9-10.

With respect to the claimed plurality of log adapters, Applicants note that claim 1 has been amended to require that the plurality of log adapters communicate with and extract information from log files instead of communicating with and extracting information from the first application and the second application, which are processing the order. In contrast, the Command and Control Processor of Helmus communicates with each of the system processors that are processing the order. For example, paragraph [0060] of Helmus disclose, “The Command and Control Processor 101 is in communication with each system processor and provides an interface through which real time information regarding, for example, system queues, order location, system resources, and system production is displayed, managed and processed.” In another example, Applicants note Fig. 1 of Helmus which clearly shows the Command and Control Processor’s direct interaction with the order processing system 10, which includes all of the system processors.

Furthermore, with respect to the claimed log files, the Office Action stated that “[t]he system stores and tracks these protocols in memory, and it is these memory files (see claim 44), which house the various protocols and processor information, that are equivalent to the Applicant’s log files.” Office Action at pp. 6-7 and 8. Applicants are unable to find any disclosure of “memory files” in Helmus. For example, claim 44 of Helmus, which was relied upon, merely discloses that an order dispensing module is stored in a computer readable storage media and executable by a processor to dispense the order. Applicants are unable to find any disclosure of a memory that “house[s] the various protocols and processor information,” as suggested by Office Action.

Even if Helmus were to disclose “memory files”, which Applicants do not admit, information stored in active memory is clearly not equivalent to nor does it teach or suggest the claimed log files. For instance, Helmus does not disclose that an application, let alone an application that processes a portion of an order, writes information to the “memory files”. Moreover, Helmus does not disclose that the Command and Control Processor extracts information from the “memory files”. Therefore, Helmus does not disclose a plurality of log adapters that communicate with and extract information from log files instead of communicating with and extracting information from the first application and the second application, as claimed.

In regard to the claimed monitoring component, Applicants note that claim 1 has been amended to require that that monitor component communicates with the plurality of log adapters and determines event status information related to the order from the extracted information without interfering with the processing of the order. As discussed above, claim 1 requires that the plurality of log adapters extract the information from log files rather than from the applications that make up the order processing system, which allows the monitoring component to communicate with the plurality of log adapters and determine event status information, etc. without interfering with the processing of the order. In contrast, the Command and Control module of Helmus communicates with and extracts information from the order processing system 10 itself (e.g., the system queues). For example, paragraph [0124] of Helmus discloses,

The Command and Control module is a user interface that sits atop the order processing system...The Command and Control module can extract information on any single queue or group of queues and perform manipulations on the extracted data through standard database query tools to product status reports on any single, or in combination, aspect of the system.

Thus, the Command and Control module of Helmus is directly querying the order processing system 10 in order to extract needed information, which would clearly interfere with the processing of the order.

Accordingly, Helmus additionally does not disclose a monitor component that communicates with the plurality of log adapters and determines event status information related to the order from the extracted information without interfering with the processing of the order. Applicants submit that Examiner's Official Notice does not cure the deficiencies of Helmus.

II. Applicants traverse Examiner's Official Notice.

The Office Action relied on an Official Notice to teach or suggest that the second computer system has a different architecture than the first computer system, as claim 1 requires. Specifically, the Office Action stated,

The Examiner hereby takes official notice that it was well known to those of ordinary skill in the art, at the time of the invention, for different computing systems to have different architectures and still be able to interact and share information regarding the execution of certain processes, including workflow/business processes. For example in supply chain management it was well known for clients to each have versions of a software client running on their own personal computers, wherein the computers themselves may have any different number of architectures. For example some might have 1 GB of RAM while others may have 2 GB, or there may be any number of minor differences in the hardware architectures of the systems themselves; and yet despite these architecture differences clients are still able to implement/access software that updates them on the operations of the supply chain and to interact with each other by sending notifications, order updates etc. without requiring that every single client in the entire supply chain have completely identical computer architectures.

Office Action at pp. 10-11.

Applicants traverse Examiner's Official Notice because it merely relies upon an example illustrating physical hardware differences as opposed to computer architecture differences. Applicants note that Newton's Telecom Dictionary defines "architecture" by stating, "The architecture of a system refers to how it is designed and how the components of the system are connected to, and operate with, each other."¹ Thus, computer architecture as claimed refers to the logical/functional design of the computer, and not the physical hardware of the computer. Applicants respectfully submit that Examiner's Official Notice example of different size memories (i.e., 1 GB of RAM versus 2 GB of RAM) are not different computer architectures. Accordingly, Applicants traverse Examiner's Official Notice.

III. The applied art, alone or in combination, do not teach or suggest a graphical user interface that graphically illustrates a hardware architecture of at least one of the first legacy computer system and the second legacy computer system used by at least one of the first application and the second application to process portions of the order.

Amended claim 1 recites,

[A] graphical user interface stored in a memory and executable by a processor to graphically illustrate an architecture of at least one of the first legacy computer system and the legacy second computer system used by at least one of the first application and the second application to process portions of the order.

Applicants submit that no new matter has been added and support may be found throughout the specification as originally filed, including at least paragraph [0055].

¹ See the definition of "architecture" from Newton's Telecom Dictionary provided in the Appendix below.

The Office Action did not address the above limitations. However, the above limitations are substantially similar to limitations recited in independent claim 36. The Office Action relied on Fig. 18 of Helmus to teach the substantially similar limitations of independent claim 36. Office Action at pp. 31 and 32.

Paragraph [0125] of Helmus discloses that “FIG. 18 depicts an example of an instrument panel that is part of the user interface of the Command and Control Module.”

Applicants respectfully submit that Fig. 18 does not disclose a hardware architecture of at least one of the first legacy computer system and the second legacy computer system used by at least one of the first application and the second application to process portions of the order, as claimed. Rather, referring to Fig. 18 of Helmus, only the states of various queues are illustrated. In contrast to Fig. 18 of Helmus, Applicants note Fig. 8 of the pending disclosure, which illustrates a graphical illustration of a hardware architecture of the computer system used by the application to process portions of the order.

Accordingly, Helmus does not disclose a graphical user interface that graphically illustrates a hardware architecture of at least one of the first legacy computer system and the second legacy computer system used by at least one of the first application and the second application to process portions of the order. Applicants submit that *Waclawsky*, Examiner’s Official Notice, and *Gal-On* do not cure the deficiencies of Helmus.

IV. The applied art, alone or in combination, do not teach or suggest a graphical user interface that selects a hardware component of the illustrated architecture and displays hardware statistics of the selected hardware component.

Amended claim 1 recites “a graphical user interface stored in a memory and executable by a processor to...select a hardware component of the illustrated architecture, and display hardware statistics of the selected hardware component.” Applicants submit that no new matter has been added and support may be found throughout the specification as originally filed, including at least paragraph [0055].

The Office Action did not address the above limitations. However, the above limitations are substantially similar to limitations recited in independent claim 36. The Office Action conceded that Helmus does not disclose the substantially similar limitations of independent claim 36. Office Action at pp. 31 and 32. Thus, the Office Action relied on paragraphs [0028]-[0036] and [0077]-[0078] and claim 21 of Gal-On and stated that “Gal-On however, discloses a method and system for optimizing applications on processors that allows users to display hardware statistics of selected hardware component in an architecture.” Office Action at pp. 31 and 32

Applicants respectfully submit paragraphs [0028]-[0036] and [0077]-[0078] and claim 21 of Gal-On do not disclose selecting, by the graphical user interface, a hardware component of the illustrated hardware architecture and displaying, by the graphical user interface, hardware statistics of the selected hardware component. Applicants note that Fig. 4 of Gal-On is the closest figure that could potentially be interpreted as displaying a hardware statistic. However, paragraph [0075] of Gal-On discloses that Fig. 4 merely shows panels indicating the performance parameters of an

application, and not a hardware component. While Fig. 4 may broadly illustrate statistics, Applicants note paragraph [0082] of Gal-On which discloses that, in regard to hardware, Fig. 4 merely illustrates “an estimate of the effect of adding or removing resources on the overall *performance of the application*” (emphasis added). Thus, Fig. 4 is not illustrating statistics of a hardware component, but rather is illustrating statistics of an application. Moreover, Applicants respectfully submit that Gal-On does not disclose that the information displayed in Fig. 4 or any other figure of Gal-On is a result of selecting a hardware component from an illustrated hardware architecture.

Accordingly, Helmus and Gal-On, alone or in combination, do not teach or suggest a graphical user interface that selects a hardware component of the illustrated architecture and displays hardware statistics of the selected hardware component. Applicants submit that Waclawsky and Examiner’s Official Notice do not cure the deficiencies of Helmus and Gal-On.

For at least the reasons established above in sections I-IV, Applicants respectfully submit that independent claim 1 is not taught or suggested by Helmus in view of Examiner’s Official Notice and respectfully request allowance of this claim. Applicants submit that Gal-On and Waclawsky do not cure the deficiencies of Helmus and Examiner’s Official Notice.

Rejection of Claim 20 Under 35 U.S.C. § 103(a)

Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmus in view of Examiner’s Official Notice and in further view of Waclawsky.

Claim 20 includes limitations substantially similar to the limitations discussed in sections I-IV above. For example, amended claim 20 recites in part,

[E]xtracting, by a plurality of corresponding log adapters stored in a memory and executed by a processor, at least a portion of the first application data, at least a portion of the second application data, at least a portion of the first hardware information, and at least a portion of the second hardware information from the first application log file, the second application log file, the first resource log file, and the second resource log file instead of extracting information from the first application and the second application; and
aggregating, by a monitor component stored in a memory and executed by a third computer system that is independent of the first legacy computer system and the second legacy computer system, the at least the portion of the first application data, the at least the portion of the second application data, the at least the portion of the first hardware information, and the at least the portion of the second hardware information to monitor order processing without interfering with the processing of the order;
graphically illustrating, by a first graphical user interface stored in a memory and executed by a processor, an architecture of at least one of the first legacy computer system and the legacy second computer system used by at least one of the first application and the second application to process portions of the order;
selecting, by the first graphical user interface, a hardware component of the illustrated architecture;
displaying, by the first graphical user interface, hardware statistics of the selected hardware component.

Accordingly, the arguments of sections I-IV are hereby repeated for claim 20.

For at least the reasons established above in sections I-IV, Applicants respectfully submit that independent claim 20 is not taught or suggested by Helmus in view of Examiner's Official Notice and in further view of Waclawsky and respectfully request allowance of this claim.

Rejection of Claim 36 Under 35 U.S.C. § 103(a)

Claim 36 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmus in view of Examiner's Official Notice and Waclawsky and in further view of Gal-On.

Claim 36 includes limitations substantially similar to the limitations discussed in sections I-IV above. For example, amended claim 36 recites in part,

[E]xtracting, by a plurality of log adapters stored in a memory and executed by a processor, at least a portion of the first application data, at least a portion of the second application data, at least a portion of the first hardware information, and at least a portion of the second hardware information from the first application log file, the second application log file, the first resource log file, and the second resource log file instead of extracting information from the first application and the second application;

aggregating, by a monitor component stored in a memory and executed by a third computer system that is independent of the first legacy computer system and the second legacy computer system, the at least the portion of the first application data, the at least [[a]] the portion of the second application data, the at least the portion of the first hardware information, and the at least a portion of the second hardware information to monitor order processing without interfering with the processing of the order.

graphically illustrating, by a graphical user interface stored in a memory and executed by a processor, a hardware architecture of at least one of the first legacy computer system and the second legacy computer system used by at least one of the first application and the second application to process portions of the order;

selecting, by the graphical user interface, a hardware component of the illustrated hardware architecture; and

displaying, by the graphical user interface, hardware statistics of the selected hardware component.

Accordingly, the arguments of sections I-IV are hereby repeated for claim 36.

For at least the reasons established above in sections I-IV, Applicants respectfully submit that independent claim 36 is not taught or suggested by Helmus in

view of Examiner's Official Notice and Waclawsky and in further view of Gal-On and respectfully request allowance of this claim.

Rejection of Remaining Claims

Claims 4, 11, 12, and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmus in view of the Examiner's Official Notice. Applicants note that claim 35 is cancelled herein, rendering the rejection of claim 35 moot.

Claims 8, 9, 13-15, 21-24, and 26-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmus in view of the Examiner's Official Notice and in further view of Waclawsky. Applicants note that claims 26 and 32 are cancelled herein, rendering the rejections of claims 26 and 32 moot.

Claims 25 and 37-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmus in view of the Examiner's Official Notice and Waclawsky and in further view of Gal-On. Applicants note that claim 25 is cancelled herein, rendering the rejection of claim 25 moot.

The remaining claims 4, 8, 9, 11-15, 21-24, 27-31, 33, 37, and 38 all depend on claims 1, 20, or 36 and Applicants submit that none of the other applied references cure the deficiencies of the cited art discussed above. Accordingly, Applicants assert that claims 4, 8, 9, 11-15, 21-24, 27-31, 33, 37, and 38 are in condition for allowance for at least the reasons established above.

Conclusion

Applicants respectfully submit that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: **May 16, 2011.**

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Appendix

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Dedication to a GI

LeRoy T. Co

LeRoy T. Carlson founded, and is today Chairman, President of Telephone and Data Systems, Inc. He is a member of the Board of Directors of the company. His career began with happy memories in his senior high school days.

Carlson, the son of Swedish immigrants, grew up on Chicago's South Side. He helped his father in the family business and worked in various jobs. He attended the University of Chicago and the U.S. Navy. He is now a member of the U.S. Navy Reserve.

He met his wife, Margaret, when they were both in high school. They have three children and two grandchildren. Carlson says that he is proud of his wife, Margaret, who is a great source of humor and his best friend. He is a great American.

March, 2001

NEWTON'S TELEBOOK DICTIONARY

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